



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

NOTE: This document provides information about the law designed to help you safely cope with your own legal needs. But legal information is not the same as legal advice -- the application of law to an individual's specific circumstances. Although we go to great lengths to make sure our information is accurate and useful, we recommend you consult a lawyer if you want professional assurance that our information, and your interpretation of it, is appropriate to your particular situation

MOTOR VEHICLES

Registration

If you're a member of the armed forces and not a resident of Texas, you may retain the vehicle registration from your home state or re-register your car here. The Servicemember's Civil Relief Act exempts you from paying local taxes. However, this Act does not exempt your dependents from paying local taxes. Therefore, if other members of your family own a car, they must register it with the county Tax Assessor-Collector within 30 days after arrival in Texas.

Driver's License

New residents moving into Texas, who have a valid driver license from their home state, have 30 days after entry into the state to secure a Texas driver license. To apply for a Texas driver license, applicants age 18 and over with a VALID out-of-state driver license will be required to:

- Provide proof of Identity.
- Provide proof of Social Security Number.
- Provide proof of vehicle registration and liability insurance on **all** vehicles owned.
- Complete required forms available at any Texas Driver License office.
- Pay the required fee.
- Pass a vision exam.
- If you have a VALID out-of-state license in your possession, it must be surrendered at the driver license office.

Inspection

Any vehicle registered in Texas and operated on Texas highways must display a valid safety inspection sticker. Texas also requires that motorists show proof of financial responsibility prior to obtaining one. If your vehicle is registered out of state, you must either obtain a Texas safety inspection sticker or have a valid safety inspection sticker from the state in which your car is registered.

License Renewal

You may renew your license up to a year before it expires, so if you can renew your license the normal way before you ship out, you'll avoid the hassle of doing it remotely. However, if you're on active military duty outside the state, you may renew your Texas driver's license by mail. You can also get a duplicate this way if you lose your original license.

When you renew your Texas driver license (or get a duplicate) from afar, the Driver License Division will send the new document to your out-of-state mailing address (you'll indicate this when you apply). You will need to initiate this process by requesting that an out-of-state renewal packet be sent to you. To get the packet, e-mail your full name, Texas driver license number, and current out-of-state mailing address to license.issuance@txdps.state.tx.us. You may also call (512) 424-2600 to make this request. Please allow three to four weeks to receive the out-of-state renewal packet.

Purchase and Sale of Automobiles (Title Transfers)

An important factor in the purchase and sale of an automobile is the transfer or change of title. Most states, including Texas, issue title certificates for each vehicle as proof of ownership. These certificates are generally registered with the Division of Motor Vehicles in that state.

Before a valid sale can be made of a vehicle in Texas, it is necessary that the name of the seller be clearly shown on the front of the title certificate, together with any encumbrances or liens that may exist on the vehicle. A seller who does not have a title to the vehicle cannot make a bona fide sale in this state. Before buying a vehicle, make sure the person selling the vehicle has the vehicle registration in his name as shown on the face of the title certificate.

The seller of a secondhand or used car must provide the purchaser with the certificate of title and an application for the transfer of title. The purchaser should file these documents with the Tax Assessor-Collector's Office of the county where the sale takes place within 20 working days from the date of transfer. There is a sales tax of 6.25 percent.

You are permitted under the Servicemember's Civil Relief Act to apply for title in *your* home state or *in the* state in which you are presently stationed. All vehicle title companies carry title transfer forms and can assist you in their preparation.

Accident Report

The operator of any motor vehicle which is involved in an accident in Texas must file an accident report with the Texas Department of Public Safety within 10 days of the accident if (1) the accident is not investigated by a law enforcement officer and (2) there is personal injury, death, or property damage in excess of \$500. The required form may be obtained from the San Antonio Police Department or the Texas Department of Public Safety.

Liability Insurance

Texas requires liability insurance on all vehicles operated within the state. Minimum liability insurance requirement on all vehicles operated within the state are \$20,000/\$40,000 for bodily injury and \$15,000 for property damage. You must provide proof of insurance upon request of a peace officer or a person involved in an accident with you. Failure to maintain insurance could result in a fine, loss of driving privileges, and loss of car tags. You must ensure that your insurance coverage meets these requirements within 30 days of establishing residency or beginning work.

Driving While Intoxicated

Any person who drives on Texas public highways impliedly consents to take a breathalyzer or blood sample/specimen test to determine the alcohol content of his/her blood. If you refuse to take such a test when requested to do so, your driving privileges will automatically be suspended for 180 days. If you consent to give the specimen and the specimen shows you had an alcohol concentration of .08 or more, your driving privileges will be automatically suspended for not less than 60 days. This is a civil administrative action and is separate from any criminal liability for driving while intoxicated. Driving is a privilege which can be withdrawn by the state without violating your rights. Moreover, you can be convicted of DWI with or without a breathalyzer or blood sample/specimen.

Driving while intoxicated can have serious criminal consequences. If convicted of DWI in Texas, you may receive a fine and/or a jail sentence. For a first offense fines go up to \$2000 and jail sentences range from a mandatory minimum of 72 hours to 180 days. There is also an automatic 90-365 day suspension of your driving privileges. For anyone under the age of 21, it is illegal to drive with any detectable amount of alcohol. If you are charged with DWI, be prepared to hire a civilian attorney. A civilian conviction for DWI requires your commander to take appropriate disciplinary actions.